

SECTION 2. The State Board of Education shall establish the program under Section 28.018, Education Code, as added by this Act, not later than September 1, 2018, for implementation during the 2018–2019 school year.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

Passed by the House on April 20, 2017: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate on May 15, 2017: Yeas 31, Nays 0.

Approved May 26, 2017.

Effective May 26, 2017.

---

**PROHIBITING CERTAIN ESTABLISHMENTS SERVING THE  
PUBLIC FROM RESTRICTING A PEACE OFFICER OR  
SPECIAL INVESTIGATOR FROM CARRYING A WEAPON ON  
THE PREMISES**

**CHAPTER 124**

H.B. No. 873

**AN ACT**

**relating to prohibiting certain establishments serving the public from restricting a peace officer or special investigator from carrying a weapon on the premises.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.1305 to read as follows:

*Art. 2.1305. CARRYING WEAPON ON CERTAIN PREMISES. (a) An establishment serving the public may not prohibit or otherwise restrict a peace officer or special investigator from carrying on the establishment's premises a weapon that the peace officer or special investigator is otherwise authorized to carry, regardless of whether the peace officer or special investigator is engaged in the actual discharge of the officer's or investigator's duties while carrying the weapon.*

*(b) For purposes of this article:*

*(1) "Establishment serving the public" means:*

*(A) a hotel, motel, or other place of lodging;*

*(B) a restaurant or other place where food is offered for sale to the public;*

*(C) a retail business or other commercial establishment or an office building to which the general public is invited;*

*(D) a sports venue; and*

*(E) any other place of public accommodation, amusement, convenience, or resort to which the general public or any classification of persons from the general public is regularly, normally, or customarily invited.*

*(2) "Sports venue" means an arena, coliseum, stadium, or other type of area or facility that is primarily used or is planned for primary use for one or more professional or amateur sports or athletics events and for which a fee is charged or is planned to be charged for admission to the sports or athletics events, other than occasional civic, charitable, or promotional events.*

SECTION 2. The change in law made by this Act applies only to conduct that occurs on or after the effective date of this Act. Conduct that occurs before the effective date of

this Act is governed by the law in effect on the date the conduct occurred, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2017.

Passed by the House on April 20, 2017: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate on May 12, 2017: Yeas 30, Nays 1.

Approved May 26, 2017.

Effective September 1, 2017.

## OPERATION OF ALL-TERRAIN VEHICLES AND RECREATIONAL OFF-HIGHWAY VEHICLES

### CHAPTER 125

H.B. No. 920

#### AN ACT

relating to the operation of all-terrain vehicles and recreational off-highway vehicles.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Sections 663.037(d) and (g), Transportation Code, are amended to read as follows:

(d) The operator of an all-terrain vehicle may drive the vehicle on a public street, road, or highway that is not an interstate or limited-access highway if:

(1) the transportation is in connection with:

(A) the production, cultivation, care, harvesting, preserving, drying, processing, canning, storing, handling, shipping, marketing, selling, or use of agricultural products, as defined by Section 52.002, Agriculture Code; or

(B) utility work performed by a utility;

(2) the operator attaches to the back of the vehicle ~~[on top of an eight-foot-long pole]~~ a triangular orange flag *that is at least six feet above ground level*;

(3) the vehicle's headlights and taillights are illuminated;

(4) the operator holds a driver's license, as defined by Section 521.001;

(5) the operation of the all-terrain vehicle occurs in the daytime; and

(6) the operation of the all-terrain vehicle does not exceed a distance of 25 miles from the point of origin to the destination.

(g) A peace officer or other person who provides law enforcement, firefighting, ambulance, medical, or other emergency services, including a volunteer firefighter, may operate an all-terrain vehicle on a public street, road, or highway that is not an interstate or limited-access highway only if:

(1) the transportation is in connection with the performance of the operator's ~~[officer's]~~ official duty;

(2) the operator ~~[officer]~~ attaches to the back of the vehicle ~~[on top of an eight-foot-long pole]~~ a triangular orange flag *that is at least six feet above ground level*;

(3) the vehicle's headlights and taillights are illuminated;

(4) the operator ~~[officer]~~ holds a driver's license, as defined by Section 521.001; and

(5) the operation of the all-terrain vehicle does not exceed a distance of 10 ~~[25]~~ miles from the point of origin to the destination.

SECTION 2. This Act takes effect September 1, 2017.

Passed by the House on April 13, 2017: Yeas 138, Nays 0, 3 present, not voting; the